

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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OCT 10 2008

In the Matter of:

**PUBLIC SERVICE
COMMISSION**

APPLICATION OF LOUISVILLE GAS AND)	CASE No. 2008-00252
ELECTRIC COMPANY, INC. FOR AN)	C/W
ADJUSTMENT OF ITS ELECTRIC AND GAS)	CASE No. 2007-00564
BASE RATES)	

-AND-

APPLICATION OF KENTUCKY UTILITIES)	Case No. 2008-00251
COMPANY FOR AN ADJUSTMENT OF)	C/W
ELECTRIC BASE RATES)	Case No. 2007-00565

**ATTORNEY GENERAL'S OBJECTION TO MOTION OF
KENTUCKY UTILITIES CO. AND LOUISVILLE GAS & ELECTRIC CO. TO REINSTATE
PREVIOUS PROCEDURAL SCHEDULE**

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and hereby tenders his written objection to the motion of Kentucky Utilities Co. and Louisville Gas And Electric Co. [hereinafter referred to as "the EON Companies"] to reinstate the original procedural in the above-styled matters.

In support of this objection, the Attorney General states that one of his experts will be out of the country, and another expert has a prior commitment to testify at a hearing in another state, thus making them unavailable to attend the hearing on the dates set forth in the original procedural schedules. It would therefore be impossible for the Attorney General to present his witnesses for testimony and cross examination, thereby precluding his office's meaningful

participation in the proceeding. Furthermore, this limitation would deprive the ratepayers of their right to challenge the requested rates. Moreover, this fact was brought to the EON Companies' attention early in the proceeding and does not unduly prejudice them. The Attorney General notes that his experts are available for the hearing as currently scheduled for January 13, 2009.

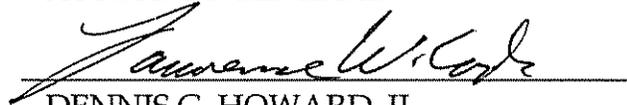
Additionally, the Attorney General notes that the Commission's revised schedule includes public forums on the proposed increase whereby the Commission will take comments from the public prior to the hearing in the matter. The Attorney General applauds the Commission for its decision in this regard and notes that, as the original hearing date was scheduled during the holiday season -- between Thanksgiving and Christmas -- many ratepayers may be unavailable to attend the hearings at that time. His office agrees that the revisions to the schedule providing for public forums after the holidays should provide ample opportunity for members of the public to voice their opinions in opposition to (or on the off chance, in favor of) the proposed increase.

Finally, while not waiving his right to address the issue at a later date, the Attorney General is not taking a position at this time regarding the references in the EON Companies' motion pertaining to the Executive Branch Ethics Commission Opinions ["EBEC Opinions"] relevant to Chairman Armstrong and Vice-Chairman Gardner. However, the Attorney General does request that the Commission provide further clarification as to the authorities and the reasoning upon which it has based its decision regarding the participation of Chairman

Armstrong and Vice-Chairman Gardner; in particular, the Attorney General requests the Commission to advise him and the public whether the Commission, or Chairman Armstrong and Vice-Chairman Gardner as individuals, have requested ethics opinions from the Kentucky Bar Association addressing the same issues set forth in the EBEC Opinions.

WHEREFORE, the Attorney General respectfully requests that the Commission uphold the current procedural schedule.

Respectfully submitted,
JACK CONWAY
ATTORNEY GENERAL

A handwritten signature in cursive script, appearing to read "Lawrence W. Cook", is written over a horizontal line.

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Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Stephanie Stumbo, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were transmitted via electronic mail, and mailed via First Class U.S. Mail, postage pre-paid, to:

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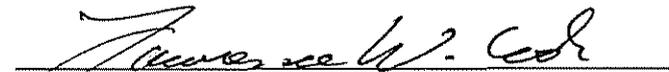
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this 10th day of October, 2008


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